

PAUL DEPETRILLO
CHAIRMAN



FRANK J. PICOZZI
MAYOR

POSTED 1/27/22

**CITY OF WARWICK
ZONING BOARD OF REVIEW
WARWICK, RHODE ISLAND 02886
(401) 921-9534**

**WARWICK ZONING BOARD OF REVIEW
MINUTES OF THE DECEMBER 14, 2021 MEETING**

A regular hearing of the Warwick Zoning Board of Review was held on Tuesday, December 14, 2021 at 6:00 P.M. in the City Council Chambers, Warwick City Hall, 3275 Post Road, Warwick, Rhode Island. The meeting was called to order by Chairman Paul DePetrillo.

The Secretary called the roll and noted the following members were present:

Present: Paul DePetrillo - Chairman
Robert DeGregorio – Vice-Chairman
Salvatore Deluise
Lorraine Byrne
Walter Augustyn
Constance Beck – Alternate
Julie Finn – Alternate

Also present: David Petrarca, Esq., City Solicitor
Daniel Geagan, Warwick Planning Department
Mary Ellen Hall - Stenographer
Amy Cota, Secretary

The Chairman asked if there were any petitions to be WITHDRAWN or CONTINUED.

Petition #10758, of Kenneth Gregory, 441 Warwick Avenue was continued due to front yard setback relief not being requested or advertised.

The Chairman called the first petition:

Petition #10755

Ward 5

105 Clifton Ave.

The petition of Mark K. Albert, 105 Clifton Ave., Warwick, RI, requests a dimensional variance to convert a 20' x 21' rear portion of the attached garage into a new bedroom and bathroom. Front portion will remain an existing garage. Proposed bedroom having less than required front corner/side setback from the property line along Paine Street. Assessor's Plat 377, Lot 278, zoned Residential A-10.

K. Joseph Shekarchi, Esq. was present and representing the petitioner.

Attorney Shekarchi stated the petitioner is proposing to convert the rear portion of the garage for a new bedroom and bathroom. The petitioner is seeking relief from the front/corner side yard setback. The required setback is 25' and the existing garage has a setback of 24.1'.

The Chairman asked if there was anyone present in opposition or in favor of the petition. There being none, Robert DeGregorio stated the petitioner is making improvements within the existing footprint, it's the least relief necessary, and made a motion to approve the petition, seconded by Salvatore Deluise, and passed unanimously by the Board that the petition be GRANTED.

Petition #10756

Ward 3

2 Commerce Dr.

The petition of Dinos Stamoulis, 2 Commerce Drive, Warwick, RI, requests a dimensional variance to convert the existing car and limousine business to a warehouse to produce and store granola. Proposed use having less than required parking spaces. Assessor's Plat 312, Lot 415, zoned Light Industrial (LI).

K. Joseph Shekarchi, Esq. was present and representing the petitioner.

The petitioner is proposing to convert the existing structure to a warehouse used to produce and store granola. There will be no changes to the existing footprint. The petitioner is seeking relief for having less than required parking.

The Chairman asked if there was anyone present in opposition or in favor of the petition. There being none, Robert DeGregorio made a motion to approve the petition. He stated there will be no substantial changes to the structure, the use is allowed, and the existing parking seems to be adequate for the use. The motion was seconded by Lorraine Byrne, and passed unanimously by the Board that the petition be GRANTED.

Petition #10760

Ward 6

Oakland Beach Ave.

The petition of SG Associates, Inc., 41 Rhode Island Ave., Warwick, RI, requests a special use permit to construct a 60' x 36' two-story storage building, and a parking lot for passenger cars. The petitioner is also seeking a dimensional variance from Table 2 Dimensional Regulations for having less than required rear yard setback to an open space zoning district, less than required landscaped buffers, and less than required parking lot buffers. Assessor's Plat 376, Lot 511, zoned General Business (GB).

K. Joseph Shekarchi, Esq. was present and representing the petitioner.

Robert DeGregorio, Vice-Chairman, recused himself from this petition. Julie Finn became the voting member for Mr. DeGregorio.

Daniel Geagan from the Planning Department read the recommendations into the record.

Attorney Shekarchi stated he has reviewed the recommendations and stipulations with the petitioner, and they agree to all stipulations.

Attorney Shekarchi stated the petitioner will use the storage building to store products associated with his restaurant businesses only.

The Chairman asked if there was anyone present in opposition or in favor of the petition. There being none, Salvatore Deluise made a motion to approve the petition, seconded by Julie Finn, and passed unanimously by the Board that the petition be GRANTED WITH STIPULATIONS.

Petition #10678

Ward 9

4654 Post Rd.

The petition of IAG Realty, LLC, 4614 Post Rd., Warwick, RI, requests an extension of a previously approved special use permit & a dimensional variance to enclose the existing outdoor seating area (Huck's Filling Station) with a 27' x 20' atrium. Proposed atrium having less than required side yard setback, and less than required off-street parking. Subject property being an undersized non-conforming lot. Assessor's Plat 220, Lot 162, zoned General Business (GB).

John C. Revens, Jr. Esq. was present and representing the petitioner.

Attorney Revens stated due to construction pricing increases, the petitioner is requesting a one year extension.

The Chairman asked if there was anyone present in opposition or in favor of the extension. There being none, Robert DeGregorio made a motion for a one-year extension, seconded by Salvatore Deluise, and passed unanimously by the Board that the extension be GRANTED.

Petition #10753

Ward 9

3880 Post Rd.

The petition of Quinlan Properties III, LLC, 3880 Post Rd., Warwick, RI, and Jeffrey M. Quinlan, 1220 Ives Rd., Warwick, RI 02818, request a dimensional variance to construct a new exterior patio to accommodate additional restaurant seating; construct a new entryway on the southeast side of the building; renovate the entrance on the west side of the building; and construct a staircase leading to the residential dwelling unit on the second floor, having less than required parking spaces, less than required size of parking spaces, and less than required aisle width,. Assessor's Plat 366, Lot 72, zoned General Business (GB).

John C. Revens, Jr., Esq. was present and representing the petitioners.

Daniel Geagan from the Planning Department read the recommendations into the record.

Attorney Revens stated the petitioner has no objection to the stipulations. He stated the subject property is an existing restaurant with one residential apartment on the second floor. The petitioner is seeking to add an exterior patio, and feels it's essential during Covid to accommodate customers. The petitioners is also proposing to construct a new exterior staircase to the second floor apartment.

Attorney Revens stated the petitioner is seeking relief for having less than required parking. They will be providing 23 spaces.

Lorraine Byrne noted the handicap space is furthest from the door, and she only counts 20 parking spaces, stating you can't put a car in front of the door, there would be no access, especially if you're handicapped, and it seems to be more restrictive than what you are proposing.

Attorney Revens stated he understands the point that putting in a patio makes parking more restrictive.

Ms. Byrne stated she didn't see the number of spaces on the proposed plan, the existing plan did, but when you put in the patio, that takes some of that area away, so it's more restrictive on that side.

Julie Finn asked how many spaces are required. Lorraine Byrne stated they are required to have 26 spaces, but she only counts 20, and the handicap space is nowhere near the door.

After further discussion, the Board Members had concerns with the limited number of parking spaces. The Chairman asked if the owner was present to speak about that issue.

Jeffrey Quinlan, Petitioner, 1220 Ives Rd., Warwick, RI, was present and sworn in by the Chairman.

The Chairman stated there appears to be conflicting parking spaces.

Attorney Revens stated it's a very constrained site. The petitioner plans on using a parking lot attendant to direct & monitor the lot.

Lorraine Byrne said she doesn't know if the owner knows the history & parking in that area because of Chelo's Restaurant down the street. Customers of theirs were parking on the lots of the businesses around there, and that caused a lot of complaints.

The Chairman asked if there was anyone present in opposition or in favor of the petition.

Steve & Sandra Kohlman, 897 Hopkins Hill Rd., West Greenwich, RI, were present in opposition of the petition, and sworn in by the Chairman.

Mr. & Mrs. Kohlman own the dry-cleaning business next door to the restaurant. He stated he'd first like to correct that the property hasn't been a restaurant for decades, it was changed to a restaurant 13 years ago. Mr. Kohlman stated he has had nothing but problems with this property ever since it became a restaurant. His employee's car has been hit three times, a delivery truck that couldn't get in the restaurant lot cut through his lot and ripped down the power line wires, and he had to close his business for two days, and he had to hire an electrician to re-wire so he could get an inspection from the Building Department to have the power turned back on by National Grid. Their delivery trucks can't get in their lot because it's so full, so they park right on Post Road blocking the driveway to his business. Both he and his wife have almost gotten in fist fights with some of these drivers. They have tried asking nicely to move the trucks, but the truck drivers flip them off and swear at them. They said the parking is insane.

Attorney Revens said everything this couple just stated should have never happened. His client just purchased the property.

Mr. Quinlan stated these issues were due to poor operations of the previous owners. He does understand the complex nature of the parking, not only for the customers but for the deliveries as well.

After further discussion between the petitioners, the abutting neighbors and the Zoning Board members, Attorney Revens requested a continuance to the January 11, 2022 meeting so they can work some of these issues out with the neighbors.

Robert DeGregorio made a motion to continue the petition, seconded by Salvatore Deluise and passed unanimously by the Board to continue this petition on January 11, 2022.

Petition #10757

Ward 9

78 Bradford Ave.

The petition of Abigail Alexander, 38 River Street, Cranston, RI, requests a dimensional variance to demolish the existing 1-bedroom single family dwelling to construct a new 2,100 square foot, 3-bedroom single family dwelling with an attached garage. Proposed new dwelling having less than required rear yard setback. Subject property having less than required lot size. Assessor's Plat 202, Lots 16, 17 & 18, zoned Residential A-40.

The Chairman stated the above petition could not be heard due to the application being incomplete. A motion was made by Robert DeGregorio, seconded by Lorraine Byrne, and passed unanimously by the Board to continue the petition.

Petition #10759

Ward 3

815 Jefferson Blvd.

The petition of Proclamation Ales, LLC, 815 Jefferson Blvd., Warwick, RI, and Bartlett Realty Inc., 815 Jefferson Boulevard, Warwick, RI, requests a special use permit to have an outdoor seating area with outdoor sales of beverages/food, with a gas fire pit, and a bocce court. Assessor's Plat 278, Lot 143, zoned General Industrial (GI).

Marion Ross, Esq. was present and representing the petitioners.

David Petrarca, Esq., the City Solicitor, recused himself from this petition.

Attorney Ross stated the petitioners are requesting a special use permit to have an outdoor seating area. The petitioners previously received approval from this Board to occupy a portion of the building for Proclamation Ales. She stated there will be no expansion of the existing footprint, this area will provide a safe outdoor space for their customers.

Lorraine Byrne asked if there will be any musical entertainment. The petitioner stated they will only have music for special events, not on a regular basis.

The Chairman asked if there was anyone present in opposition or in favor of the petition. There being none, Robert DeGregorio stated the proposed outdoor seating area won't alter the characteristics, and made a motion to approve the petition, seconded by Salvatore Deluise, and passed unanimously by the Board that the petition be GRANTED.

A motion to approve the September 14, 2021 Appeal Meeting Minutes, was made by Julie Finn, seconded by Salvatore Deluise and passed unanimously by the Board.

A motion to approve the September 14, 2021 Regular Meeting Minutes, was made by Robert DeGregorio, seconded by Salvatore Deluise and passed unanimously by the Board.

A motion to approve the October 7, 2021 Special Meeting Minutes, was made by Robert DeGregorio, seconded by Salvatore Deluise and passed unanimously by the Board.

A motion to approve the October 12, 2021 Regular Meeting Minutes, was made by Robert DeGregorio, seconded by Salvatore Deluise and passed unanimously by the Board.

A motion to approve the November 4, 2021 Special Meeting Minutes, was made by Robert DeGregorio, seconded by Salvatore Deluise and passed unanimously by the Board.

A motion to approve the November 9, 2021 Regular Meeting Minutes, was made by Robert DeGregorio, seconded by Salvatore Deluise and passed unanimously by the Board.

A motion was made by Robert DeGregorio, seconded by Salvatore Deluise and passed unanimously by the Board to adjourn the regular meeting at 7:40 p.m.

BY ORDER OF THE ZONING BOARD OF REVIEW, WARWICK, RHODE ISLAND

Paul DePetrillo, Chairman